**THE HON'BLE Ms. JUSTICE G.ROHINI**

**WRIT PETITION NO: 500 of 2006**

Dated: 30-11-2006

Between:

Gandla Chandrasekhar and 8 others.

**..... PETITIONERS**

AND

The Principal Secretary,
Transport, Roads and Buildings,
Secretariat, Hyderabad 3 others.

**.....RESPONDENTS**

**THE HON'BLE Ms. JUSTICE G.ROHINI**

**WRIT PETITION NO: 500 of 2006**

**O R D E R:**

This writ petition is filed seeking a declaration that the action of the respondents 2 and 4 in changing the alignment of road widening from Ananthagiri Cross Road to Alampally without following due process of law as arbitrary and illegal.

It is pleaded in the affidavit filed in support of the writ petition that they are lawful owners of the buildings by the side of the Alampally road and they have been in possession of the same for the past more than 50 years. It is alleged by virtue of the impugned change in the alignment, under the guise of road widening, their permanent structures are being demolished illegally.

In the counter affidavit, filed on behalf of the fourth respondent-Municipality, though the fact that permanent structures are existing is not disputed, it is alleged that the petitioners are encroachers.

Having regard to the specific assertion made by the petitioners that they have been in possession of the buildings in question for the past several years, without expressing any opinion as to the rival claims made by the parties, the writ petition is disposed of making it clear that the petitioners shall not be dispossessed without following due process of law. If the land in question is required for road widening, the same shall be resorted to after notice to the petitioners and after following the procedure prescribed under law. No costs.

**G. ROHINI, J**

Dated: 30-11-2006
KLP